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5 Attorney for Defendant  
WOLV, INC.

6  
7 **UNITED STATES DISTRICT COURT**  
8 **CENTRAL DISTRICT OF CALIFORNIA**

9  
10 KATE SPADE LLC,  
11  
Plaintiff,  
12  
vs.  
13 WOLV INC.,  
14  
Defendant.

Case No. **2:22-cv-04392-FMO-JEM**  
**DEFENDANT WOLV INC.'S**  
**OPPOSITION TO KATE SPADE'S**  
**APPLICATION FOR**  
**CONTINUANCE OF TRIAL DATE**

Date: September 21, 2023  
Time: 10:00 a.m.  
Dept.: Courtroom 6D

Assigned to the Hon. Fernando M. Olguin

Action Filed: June 27, 2022  
Trial Date: October 16, 2023

1       Wolv filed this trademark application in November 2017. It has been almost  
 2 six years. Wolv's business is on hold. Thus, delaying the bench trial would  
 3 prejudice Wolv. Also, Kate Spade has known of this Court's case schedule for  
 4 almost a year. ECF No. 28. In that order, the Court established the quick turnaround  
 5 between MSJ filing and the bench trial. This specific situation, *i.e.*, a pending MSJ  
 6 and a looming bench trial, was easily foreseeable. Kate Spade was not diligent. It  
 7 could have filed a motion to amend the case schedule at any time over the last year.  
 8 It has chosen to wait until weeks before the bench trial. Thus, Wolv disagrees that  
 9 Kate Spade has been diligent in seeking the relief it now seeks.

10       Wolv is opposed to the specific form of relief that Kate Spade seeks, *i.e.*, a  
 11 delay of the bench trial. The undersigned disputes footnote 1 of the memorandum in  
 12 support of Kate Spade's application. That said, if the Court has already reached a  
 13 decision on Kate Spade's MSJ and is only needing more time to draft a written  
 14 opinion, it would benefit both parties if the Court could issue a minute order  
 15 revealing how it plans on ruling on the motion. For example, if the Court has  
 16 decided to grant Kate Spade's motion, then knowing that information would save  
 17 both parties significant time and resources.

18 DATED: August 25, 2023

AMIT AGARWAL

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 20 By: /s/ Amit Agarwal  
 Amit Agarwal

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